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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

In the Matter of the Search of 2410 Camino)
Ramon, Suite 129, San Ramon, California)

No. CR 12-misc-80060 EJD

**STIPULATION TO CONTINUE
HEARING DATE AND ~~PROPOSED~~
ORDER**

Date: March 26, 2012
Time: 3:00 p.m.
Judge: Edward J. Davila
Courtroom: 4

IT IS HEREBY STIPULATED AND AGREED, by and between Melinda Haag, United States Attorney, Richard C. Cheng and Matthew A. Parrella, Assistant United States Attorneys, counsel for the United States of America, and Jeffrey L. Bornstein, Esq. and Alexandra P. Summer, Esq., counsel for Fishman Consulting Group, LLC, that the hearing date currently set for the above-captioned matter on March 26, 2012, be continued to May 1, 2012, at 1:30 p.m., or a date and time thereafter at the convenience of the Court.

1. The parties are engaged in discussions regarding the instant motion. It is hoped that the continuance sought may result in an agreement and eliminate the need to decide the motion.

2. Neither Fishman Consulting Group LLC nor Michael J. Fishman have been charged with

1 a crime.

2 3. Since there is no indictment pending against Fishman Consulting Group LLC or Michael
3 J. Fishman , this continuance will have no affect on the Speedy Trial Act, Title 18, United States
4 Code, Sections 3161(h)(1)(H), and 3161(h)(7), considering the factors under Title 18 United
5 States Code, Sections 3161(h)(7)(B)(i) and 3161(h)(7)(B)(ii).

6 4. This continuance is sought to save the court's time and resources and to allow time for
7 both parties to evaluate and analyze information which will have a bearing on the future course
8 of the litigation.

9 5. It is the parties understanding that the court suggested the date of May 1, 2012, at 1:30
10 p.m. as being convenient.

11 DATED this __23rd __ day of March, 2012

12
13 MELINDA HAAG
14 United States Attorney

15 _____
16 /s/
17 RICHARD C. CHENG
18 MATTHEW A. PARRELLA
19 Assistant United States Attorneys

March 23, 2012
DATE

20 _____
21 /s/
22 JEFFREY L. BORNSTEIN
23 ALEXANDRA P. SUMMER
24 counsel for Fishman Consulting Group, LLC

March 23, 2012
DATE

~~PROPOSED~~ ORDER

Based upon the foregoing representations made by the parties by stipulated motion, and good cause appearing therefor,

IT IS HEREBY ORDERED that the matter shall be removed from the court's calender on March 26, 2012, and continued and set on the Court's calendar on May 1, 2012, at 1:30 p.m., or a date and time thereafter at the convenience of the Court.

DATED: March 23, 2012


EDWARD J. DAVILA
United States District Judge